

\*\*\* **CONFIDENTIAL PORTIONS** \*\*\*

Deposition of :  
**Bets Burg**

January 18, 2019

Matthew Sponer  
vs.  
Equifax Information Services, LLC and Wells Fargo  
Bank, N.A.

Case No.: 3:17-cv-02035-HZ



**Bets Burg**  
**CONFIDENTIAL PORTIONS**

**Page 264**

1 that had not been completed, at that time, that, no,  
2 we would not have been in violation of accurate  
3 reporting of FCRA.

4 BY MR. SOLA:

5 Q. If would you look at Exhibit 12. And these  
6 are Bates numbered WF 370 to 404.

7 MR. FRANSEN: I'll note for the record, these  
8 have been marked confidential in a protective order.  
9 So the testimony, also, we would, initially, at least,  
10 flag that as confidential, as well.

11

12 \*\*\* CONFIDENTIAL PORTION OF TRANSCRIPT \*\*

13 BY MR. SOLA:

14 Q. The first page has the letters "CBDR,"  
15 that's -- why don't you say it, so I don't get it  
16 wrong?

17 A. Credit Bureau Dispute Resolution.

18 Q. And then it says, "Resolving a Credit Bureau  
19 Dispute." And then there are some other -- first, are  
20 these all from one manual or one document, or do they  
21 incorporate more than one document?

22 A. Well, there's more than one document in here.

23 Q. Can you tell me if there's a break somewhere,  
24 where it goes from one document to the next?

25 A. Well, pages 370 to 374 are resolving of a

**Bets Burg**  
**CONFIDENTIAL PORTIONS**

**Page 265**

1 credit dispute, that were revised on 12/14 of '16.  
2 And then the same policies in the next pages, through  
3 380, that were revised on 11/23. So there's multiple  
4 revisions of the same procedure, that I'm looking at,  
5 here.

6 Q. Let's keep going. I see that. Then  
7 through 384, is that a new --

8 A. It's the same, it's just a different  
9 revision.

10 Q. And then when does the next group -- the same  
11 group, but it's revised.

12 Does that go through 389?

13 A. Correct. 390 is a separate.

14 Q. Separate document?

15 A. That's correct.

16 Q. And then is there another separate document,  
17 after 390?

18 A. 391 is a separate document. It appears that  
19 392 is just a different version. And then 393 is a  
20 new document. 396 begins a new document. And 399, I  
21 believe, is a new document, as well.

22 Q. Now, 39- -- 370 and the following pages,  
23 you've indicated are procedures that then show updates  
24 or modifications; right?

25 A. That's correct.

**Bets Burg**  
**CONFIDENTIAL PORTIONS**

**Page 266**

1           Q.    And 370 says, "Resolving a Credit Bureau  
2    Dispute."

3                    So does that mean disputes that are received  
4    from a credit bureau?

5           A.    I believe that that could be an ACDV or a  
6    non-ACDV.

7           Q.    Because what I'm trying to distinguish is a  
8    dispute that comes through a credit bureau from a  
9    dispute that comes directly from a consumer. And I'm  
10   wondering, is this applied to both or only one of  
11   those?

12          A.    This is applied to both credit bureau  
13   disputes, either received from a credit reporting  
14   agency or a consumer, not a fraud investigation  
15   request.

16          Q.    Now, that's -- my other question was, going  
17   to page 391 or 390 -- it's up to you -- it looks like  
18   these are procedures that relate to a fraud  
19   investigation; is that right?

20          A.    That is correct.

21          Q.    So is that correct that these are not  
22   procedures that apply to a credit bureau dispute?

23          A.    These are not procedures that a credit  
24   dispute team member would be following. It doesn't  
25   mean that these procedures aren't followed in a credit

**Bets Burg**  
**CONFIDENTIAL PORTIONS**

**Page 267**

1 bureau dispute, but they are not followed by the  
2 credit bureau dispute team member in their  
3 investigation. These are fraud-specific procedures.

4 Q. Would these be procedures that would be  
5 followed by the fraud department?

6 A. That's correct.

7 Q. And remember, earlier, we had talked about  
8 that division. There's the credit bureau dispute  
9 resolution team, and then there's the fraud resolution  
10 people.

11 A. Correct.

12 Q. And so these procedures, starting at 390,  
13 those are for the fraud resolution people?

14 A. That's correct.

15 Q. Are these pages that you produced, are these  
16 all the policies and procedures that Wells Fargo has  
17 on handling consumer dispute?

18 MR. FRANSEN: Object to the form.

19 THE WITNESS: At that time, or in general?

20 BY MR. SOLA:

21 Q. At the time, yeah.

22 MR. FRANSEN: Same objection.

23 THE WITNESS: I would assume, at that time,  
24 there were other disputes that were not relevant to  
25 the case -- or other procedures that were not relevant

**Bets Burg**  
**CONFIDENTIAL PORTIONS**

**Page 268**

1 to the case.

2 BY MR. SOLA:

3 Q. How did you determine which ones to produce,  
4 as far as relevancy?

5 MR. FRANSEN: Object to the form.

6 THE WITNESS: Well, resolving a credit bureau  
7 dispute is the main procedure for resolving credit  
8 bureau disputes.

9 BY MR. SOLA:

10 Q. Maybe my question wasn't clear.

11 Are there other policies and procedures that  
12 relate to credit bureau disputes than these?

13 A. I believe that there could be other  
14 procedures that are related to credit bureau disputes,  
15 yes, but were not relevant to this case. They did  
16 not -- they don't have anything to do with identity  
17 theft procedures.

18 Q. Now, you said, several times, and we talked  
19 about investigations, that you believe they were done  
20 pursuant to the policies and procedures; right?

21 A. Correct.

22 Q. Do you mean the policies and procedures that  
23 are contained in Exhibit 12?

24 A. Yes.

25 Q. Can you look through this and find where it